

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
September 14, 2007**

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 10:30 a.m., September 14, 2007, in the Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1 and Max W. Wilson, District 4. Attending telephonically: Andrew Kunasek, Vice Chairman, District 3; Don Stapley, District 2 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager; Sandi Wilson, Deputy County Manager and Dean Wolcott, Outside Counsel. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**RESOLUTION REGARDING 42 USC § 11431, et. seq.**

Item: Approve the Resolution In Support of Improving the Education of Homeless Children in Maricopa County, and direct the County Manager to take all necessary actions, including, but not limited to, contacting the Arizona Congressional Delegation, detailing the position of the Board of Supervisors pertaining to this Resolution, and authorize the County Manager to sign any additional correspondence consistent with this Resolution.

Chairman Brock read the item and asked if there was a motion to support it. Supervisor Wilcox moved the item and commented that the time has come to mainstream the children of this school district. Chairman Brock commended an Arizona Republic story regarding the direction the County is taking as it pertains to this school district and thanked the surrounding school districts for their assistance and support in transitioning these students into their schools.

Supervisor Wilson acknowledged all of the education and community leaders who provided support and advice throughout this transition. Supervisor Kunasek stated that while the experts all agree that mainstreaming Pappas students into neighborhood schools is the best thing for them both socially and educationally, he said "I don't want people to forget that Pappas was the best alternative for homeless kids once. In fact, it was the only alternative as few as 10 years ago. We need to acknowledge the efforts of the pioneers in the education of homeless children and the incredible time, effort, money and love invested in Pappas by the community." Supervisor Stapley said he echoed the remarks of the other Board members and commended them for staying united throughout this difficult process.

**RESOLUTION**

**WHEREAS**, Congress passed the McKinney-Vento Homeless Education Assistance Improvements Act ("McKinney-Vento") as a part of the No Child Left Behind Act in 2001 ("NCLB"), see 42 U.S.C. §§ 11431 – 11435, and

**WHEREAS**, McKinney-Vento contains an exemption allowing four (4) counties in the United States, including Maricopa County, to continue operating previously established segregated schools for homeless children, and

**WHEREAS**, the Maricopa County Regional School District No. 509 ("District") is a separate governmental entity from Maricopa County which operates a segregated homeless student school in Maricopa County, Arizona, and

**WHEREAS**, on November 30, 2006, the Arizona Superior Court, Maricopa County, placed the District into receivership and appointed a Receiver Board of experts in education, and

**WHEREAS**, on February 22, 2006, the expert Receiver Board issued a comprehensive Status Report on the Maricopa County Regional School District With a Focus on the Thomas J. Pappas Schools (Expert

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Report), and

**WHEREAS**, the Expert Report details numerous educational and administrative failings of the District, including, as follows:

- The District's homeless students are not thriving educationally
- The District's homeless students are substantially behind the educational attainment of homeless students in an integrated educational setting (Pages 10-11 of the Expert Report)
- Integrated schools are achieving test scores approximately twice as high as District homeless students
- The District has not been properly educating special education students
- The District has not had an established curriculum for at least eight years
- The District engages in little or no professional development to guide teachers
- The District's homeless schools have been placed into Arizona's School Improvement by the Arizona Department of Education (indicating lack of educational attainment)
- The District's homeless schools are not making adequate yearly progress as defined in NCLB
- The District is failing to timely apply for Title 1 allocations and is out of compliance in some Title 1 areas
- The District has not reached out to other school districts for the purpose of transitioning homeless students
- The District has failed to comply with the McKinney Vento requirements concerning notifications to parents of students

**WHEREAS**, the Court Appointed Receivers presented a second report to the Court on May 21, 2007, (Expert Report II), which detailed additional deficiencies and issues, and

**WHEREAS**, the McKinney Vento Act has successfully changed the educational landscape so that educational and support services provided by the District are also being provided by school districts or charter schools throughout Maricopa County with substantially more educational success for the students than is provided by the District, and

**WHEREAS**, the Board of Supervisors has learned from education leaders in Maricopa County schools and districts that the changes inspired by the McKinney Vento act have been a very positive force, and students identified as "homeless" are now better served in non-segregated environments, and

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. The Board requests that Maricopa County be removed from the list of "covered counties" exempt from the McKinney-Vento ban on segregated schools for homeless children.
2. The County Manager is directed to take all necessary actions, including, but not limited to contacting the Arizona Congressional Delegation, detailing the position of the Board pertaining to this Resolution.

Dated this 14<sup>th</sup> day of September 2007.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

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/s/ Fran McCarroll, Clerk of the Board

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this item as stated above. [Clerk's Note: (This is not an official part of the minutes.) Expert Reports I and II are on file in the Clerk of the Board's office.] (ADM681)

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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/s/ Fulton Brock, Chairman of the Board

ATTEST:

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/s/ Fran McCarroll, Clerk of the Board